

REGULAR MEETING OF COMMON COUNCIL

A regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, June 16, 2009 at 6:30 PM in the City Hall Council Chambers. Mayor Gregory Hoffman presiding. The Pledge of Allegiance was given.

CLERK CALLS THE ROLL

Council members present: Michael Dahlby, Brian Flynn, CW King, Jason Anderson, Donald Baker, Dennis Doughty, Susan Zukowski.

City staff present: City Planner Jayson Smith, Assistant City Engineer Robbie Krejci, Police Chief Wayne Nehring, Parks & Recreation Director Bill Faherty, Fire Chief Tom Larson.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(a) Motion by Doughty/Zukowski, all present voting aye, to approve the minutes of the regular council meeting of June 2. **Motion carried.**

PERSONAL APPEARANCES BY CITIZENS

Rodney Shafer, Fleet Street, Chippewa Falls, has concerns about the renewal of the dance (music) license for Irvine Bar on tonight's agenda. He lives next to the bar and has complained numerous times to the Police Department about loud noise coming from the bar. He does not want their license denied but would like the bar to keep their doors and windows closed to control the noise. City Attorney Ferg indicated he could file a complaint with the Council which would then start a suspension or revocation process. **Don Schafer**, Broadway Avenue, Chippewa Falls, has concerns over the potential rezoning of lots next to the Glen Loch Motel discussed at the May 11 Plan Commission meeting. The lots are currently zoned C-4 Highway Commercial but might be rezoned to multi-family housing. He stated he has seen advertising by Woods & Water indicating the rezoning will take place and questioned how they could say that when it hasn't been done yet. **Claudia Cayo**, Summit Avenue, Chippewa Falls, asked why the Mayor did not present for consideration other citizens willing to serve on the Plan Commission. She indicated they should be allowed to serve if willing and could bring fresh ideas to the Commission. **Dave Martineau**, Irvine Court, Chippewa Falls, who submitted his name to the Mayor for consideration for the Plan Commission, was upset he did not get a courtesy call indicating he was not being nominated for an appointment. **Russ Blair**, Oak Knoll Drive, also questioned why other individuals willing to serve on the Plan Commission were not submitted to the Council for consideration. He indicated the two members up for reappointment (David Cihasky and Dan Varga) would continue to have conflicts of interest if they are reappointed to the Commission.

PUBLIC HEARINGS

(a) Mayor Hoffman opened a public hearing at 6:45 PM regarding the 2009/2010 dance license renewals. The Council discussed comments made earlier regarding noise levels at Irvine Bar, 130 Fleet Street. No one else appeared for or against and the hearing was closed at 6:48 PM.

COMMUNICATIONS

None

REPORTS

(a) Motion by Doughty/Zukowski to approve the minutes of the Plan Commission meeting of June 8. **After a roll call vote, said motion passed unanimously.**

REPORTS(cont.)

(b) Motion by Flynn/Anderson to approve the minutes of the Board of Public Works meeting of June 8. **After a roll call vote, said motion passed unanimously.**

APPLICATIONS

(a) Motion by Doughty/Zukowski, all present voting aye, to approve the four Operator (Bartender) licenses for the remainder of June 2009 as recommended by the Police Department. **Motion carried.**

Motion by Zukowski/Baker, all present voting aye except Doughty who abstained, to approve the 2009/2010 Operator/Bartender license applications as recommended by the Police Department. **Motion carried.**

Robert Sluga, Co Rd HH&I, Eleva, appeared to ask the Council to approve his Operator/Bartender application recommended for denial by the Police Department. **A motion was made by Alderman Doughty** to deny this application but failed for lack of a second.

Motion by Flynn/Baker to approve this application and authorize the City Clerk to issue the license contingent upon approval from Police Chief Wayne Nehring after he meets with Mr. Sluga. **Said motion passed after the following roll call vote: Aye – Flynn, Baker, Dahlby, King, Anderson, Zukowski; Nay – Doughty.**

Michael Moulton, Chippewa Falls, appeared to ask the Council to approve his Operator/Bartender application recommended for denial by the Police Department. Mr. Moulton's Attorney Les Liptak contested the denial and questioned the points assessed to Mr. Moulton's violations. **Motion by King/Zukowski** to deny the Operator/Bartender application of Michael Moulton. **Said motion passed after the following roll call vote: Aye – King, Zukowski, Flynn, Anderson, Baker, Doughty; Nay – Dahlby.** The Council took no action on the request of Attorney Liptak that the license be granted contingent upon Mr. Moulton completing an assessment and indicated he could reapply when that happens.

Fidel Avila, Dutchman Drive, Chippewa Falls, appeared to ask the Council to approve his Operator/Bartender application recommended for denial by the Police Department. **Motion by Zukowski/Flynn** to approve the Operator/Bartender application of Fidel Avila. **The following roll call vote resulted in a tie: Aye – Zukowski, Flynn, Dahlby; Nay – King, Anderson, Doughty; Abstain – Baker. Mayor Hoffman voted "aye" and the motion passed.**

(b) Motion by Doughty/Anderson to approve the Dance License Applications/Renewals for 2009-2010. **After a roll call vote, said motion passed unanimously.**

(c) Motion by Doughty/Flynn to approve the Alcohol License Applications/Renewals for 2009-2010. **Said motion passed after the following roll call vote: Aye – Doughty, Flynn, Dahlby, King, Anderson; Abstain – Baker, Zukowski.**

(d) There was a motion by Doughty/Anderson to approve the renewals of the 2009/10 garbage/recycling licenses of Veolia Environmental Services Solid Waste, Tambornino Sanitation, Normacyle, and Waste Management. After further discussion, the motion and second were withdrawn. **Motion by King/Dahlby, all present voting aye,** to vote on the Normacyle renewal separately. **Motion carried. Motion by Doughty/Zukowski** to approve the 2009/2010 garbage/recycling renewals of Veolia Environmental Services Solid Waste, Tambornino Sanitation and Waste Management. **After a roll call vote, said motion passed unanimously. Motion by Anderson/Flynn** to approve the renewal of the recycling license of Normacyle contingent upon repairs (noted in Inspector Fenno's report) being completed at which time the City Clerk can issue the license. **After a roll call vote, said motion passed unanimously.**

(e) Motion by Doughty/Zukowski to approve the renewal of the Taxicab Licenses of Tommy Klatt for Right Way Shuttle, Inc.; Melissa LaBrec, for Cab 4 U; Kinfemichael Mitiku for Door to Door Taxi & Passenger Service; Duane Swan for Chippewa Cab Co. contingent upon all

APPLICATIONS(cont.)

applicants turning in the required paperwork to the City Clerk's office. **After a roll call vote, said motion passed unanimously.**

(f) Motion by Flynn/King to approve the Application of Northern Wisconsin State Fair Association, Inc. for a Temporary Class "B"/"Class B" Retailer's License for the Northern Wisconsin State Fair July 8-13. **After a roll call vote said motion passed unanimously.**

(g) Motion by Zukowski/Anderson, all present voting aye, to approve the Application of the Northern Wisconsin State Fair Association for a Class "E" Dance License for July 8-13. **Motion carried.**

(h) Motion by Zukowski/Baker, all present voting aye, to approve the Application of Chippewa Falls Lumberjacks for a Temporary Class "B"/"Class B" Retailer's License for Leinie's Night at Casper Park on June 17 & 18. **Motion carried.**

(i) Motion by Anderson/Zukowski, all present voting aye, to schedule a public hearing at the next council meeting on July 7 regarding the Application of LeRoy Johnson, 24 W. Spring Street, to operate a taxicab business in the City of Chippewa Falls. **Motion carried.**

PETITIONS

None

MAYOR ANNOUNCES APPOINTMENTS

(a) Motion by Dahlby/Baker to vote on the appointments individually. **Said motion passed after the following roll call vote: Dahlby, Baker, Flynn, Doughty, Zukowski; Nay – King, Anderson.**

Motion by Zukowski/Baker, all present voting aye, to approve the reappointment of Robert Ferg as City Attorney. **Motion carried.**

Motion by King/Zukowski, all present voting aye, to approve the reappointment of Pete Sedarski, Wayne Germain and Bill Beaudette to the Board of Appeals Electrical. **Motion carried.**

Motion by Flynn/King, all present voting aye, to approve the reappointment of Bill Larsen and Allan Sharp and the appointment of Fred Roycraft to the Transit Board. **Motion carried.**

Motion by Anderson/Zukowski, all present voting aye, except Dahlby who voted nay, to approve the reappointment of Stacey Miller and the appointment of Bob Hoekstra to the Library Board. **Motion carried.** Alderman Baker questioned the Mayor on why former member Sally Sommerfeld was not considered for reappointment.

Motion by Anderson/Doughty, all present voting aye, to approve the reappointment of Paul Peters to the Police & Fire Commission. **Motion carried.**

Motion by Anderson/Doughty, all present voting aye, to approve the reappointments of Andy Clay and Dennis Buttke to the Cable Television Advisory Board. **Motion carried.**

Motion by Anderson/Doughty, all present voting aye, except Baker who abstained, to approve the reappointment of Don Baker and the appointment of Mary Schnobrich, to the Business Improvement District Board. **Motion carried.**

Motion by Zukowski/Flynn, all present voting aye, to approve the reappointment of Beth Arneberg and Heidi Hoekstra to the Park Board. **Motion carried.**

Motion by Doughty/King, all present voting aye, to approve the reappointments of Jan Ferguson, William Haley and Jan Welch to the Board of Appeals Planning and Zoning. **Motion carried.**

Motion by Doughty/Zukowski, all present voting aye, to approve the reappointment of Ted Bowe and Gary Gonyer to the Board of Appeals Gas Code. **Motion carried.**

APPOINTMENTS(cont.)

Motion by Dahlby/Baker to deny the reappointment of David Cihasky and Dan Varga to the Plan Commission. **Said motion failed after the following roll call vote: Aye – Dahlby, Baker; Nay – Flynn, King, Anderson, Doughty, Zukowski.**

Motion by Doughty/Anderson to approve the reappointment of David Cihasky and Dan Varga to the Plan Commission. **Said motion passed after the following roll call vote: Aye – Doughty, Anderson, Flynn, King, Zukowski; Nay – Dahlby, Baker.** The Council discussed potential conflicts of interest. Alderman Dahlby questioned the Mayor on the appointment process and why other citizens interested in serving on the Plan Commission were not listed.

MAYOR'S REPORT

None

COUNCIL COMMITTEE REPORTS

(a) Motion by Flynn/Doughty to approve the minutes of the Committee #1 Revenues, Disbursements, Water & Wastewater meeting of June 3. **After a roll call vote, said motion passed unanimously.**

(b) Motion by Zukowski/Flynn to approve the minutes of the Committee #2 Labor Negotiations, Personnel, Policy & Administration meeting of June 4. **Motion carried.**

(c) Motion by Flynn/Anderson, all present voting aye, to approve the minutes of the Committee #3, Transportation, Construction, Public Safety and Traffic meeting of June 4.

Motion carried. (A typo on the agenda was corrected from June 3 to June 4 as listed in the minutes)

(d) Motion by Flynn/King, all present voting aye, to approve the minutes of the Committee #4 Recycling, Computerization, Buildings & Intergovernmental Services meeting of June 2.

Motion carried.

(e) The minutes of the Park Board meeting of June 9 were presented.

(f) The minutes of the Library Board meeting of June 10 were presented.

REPORT OF OFFICERS

None

ORDINANCES

None

RESOLUTIONS

(a) Motion by Doughty/Zukowski to approve **Resolution 2009-15** Entitled: Compliance Maintenance Resolution. **After a roll call vote, said motion passed unanimously.**

(b) Motion by King/Doughty to approve **Resolution 2009-16** Entitled: A Resolution to Adopt the Wisconsin Office of Energy Independence 25 x 25 Goals. **After a roll call vote, said motion passed unanimously.**

(c) Motion by Anderson/Doughty to approve **Resolution 2009-17** Entitled: Resolution Authorizing Representative to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund. **After a roll call vote, said motion passed unanimously.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) Motion by King/Zukowski, all present voting aye, to table the proposal from SEH for Wellhead Protection Plan Development/Groundwater Flow Modeling for the East and West Well Fields. **Motion carried.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW(cont.)

(b) The Council considered rescheduling the July 7 regular council meeting. No action taken as it was determined there would be a quorum for the meeting.

(c) The Council considered rescheduling the July 7, 8 and 9 regular committee meetings. No action taken and the regularly scheduled committee meetings will be held.

(d) The Council considered the request from Richard Stelter to paint curb address numbers. Issues discussed included the city's current ordinance requiring home owners to have house numbers in a visible location; if a resident paid for this service and the curb was re-done the City would not want to be responsible for putting the number back on the curb; and that they probably would not be visible in the winter when it snowed. No action taken.

CLAIMS

(a) The Claims Committee met at 6:00 PM before the regular meeting to review the claims for payment by the various departments of the city. **Motion by King/Zukowski** to approve the payment of the claims listed below. **After a roll call vote, said motion passed unanimously.**

City General Claims and

Authorized/Handwritten Claims: \$742,872.55

Public Utilities Claims \$240,581.13

CLOSED SESSION

Motion by Anderson/Doughty to go into closed session under 19.85(1)(g) Wis. Stats., for "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved" regarding: **A. Construction Business Group/Department of Workforce Development prevailing wage project claim against City of Chippewa Falls regarding Willow Creek Subdivision and Westwood Land Company;** and to include Assistant City Engineer Robbie Krejci, City Attorney Robert Ferg, City Clerk Lynne Bauer; and may return to open session. **The council discussed this matter.**

Motion by Zukowski/Baker, all present voting aye, to return to open session. **Motion carried.**

ADJOURNMENT

Motion by Zukowski/Baker, all present voting aye, to adjourn at 9:22 PM. **Motion carried.**

Submitted by,
Lynne Bauer, City Clerk